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October 22, 2014

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Hon. Nathanael M. Cousins
U.S. Magistrate Judge
United States District Court
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *Nextdoor.com, Inc. v. Raj Abhyanker, No. 3:12-cv-05667-EMC*
Hearing on Motion for Protective Order (Dkt. 355)

Dear Judge Cousins:

Nextdoor.com is filing today its Opposition to Defendant Abhyanker's Motion to Preserve Confidentiality Designations on Enumerated Documents Pursuant to Protective Order (Dkt. 355) (the "Motion"). This matter was referred to Your Honor by Judge Chen on October 16, 2014, in an order that directed Abhyanker's counsel to renote the motion for hearing before Your Honor. Dkt. 361. Because Mr. Abhyanker has failed to renote the motion, and because there is shortness of time that warrants a prompt hearing, Nextdoor.com respectfully requests that the Court set the matter for hearing. When Nextdoor.com offered to call the Court's clerk jointly to arrange a suitable schedule, Mr. Abhyanker declined a joint call. Hence this letter.

The issue presented in the Motion is whether the Court will continue to need to adjudicate motions to seal, and then file under seal, the materials at issue, and whether Nextdoor.com will remain unable to reveal that information to its client and non-parties. Nextdoor.com served its request for de-designation of confidentiality on Abhyanker on September 17, 2014. Mr. Abhyanker filed his Motion on October 8, calling for an opposition due October 22 (which is being filed today) and a reply date of October 29. But Mr. Abhyanker originally noticed the hearing not on the regular five week schedule, but weeks later, on December 4. That is just four days before trial commences on December 8. With many pre-trial filings imminent, as well as trial itself, this issue should be decided soon so the Court and Nextdoor.com can stop unnecessary sealing of materials and deal with them appropriately at trial.

Because Mr. Abhyanker has failed to obey the Court's order to renote the Motion (thereby delaying the matter further), Nextdoor.com requests that the Court set the matter for hearing at a convenient time (presumably after Mr. Abhyanker's October 29 reply date). Counsel remains available for a telephone scheduling conference if the Court desires.

Respectfully,

/s/ Laurence F. Pulgram

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